

Senate Journal

**First Regular Session of the Fiftieth Legislature
of the State of Oklahoma
First Legislative Day, Tuesday, January 4, 2005**

Pursuant to Article V, Section 26, of the Constitution of the State of Oklahoma, the Senate of the First Regular Session of the Fiftieth Legislature assembled in its Chamber at 12 noon.

The President of the Senate, Lieutenant Governor Mary Fallin, called the Senate to Order.

The invocation was offered by Reverend Dr. Joe Ted Miller, St. John's Episcopal Church, Norman, the guest of Senator Hobson.

The roll was ordered called by the President on the twenty-three hold over members of the Senate:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coffee, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Hobson, Johnson, Kerr, Lawler, Leftwich, Monson, Myers, Pruitt, Shurden and Taylor.—22.

Excused: Coates.—1.

President Fallin directed the following Communication from the State Election Board be read on the certification of the newly elected members of the Senate.

November 15, 2004

The Honorable Cal Hobson
President Pro Tempore, Oklahoma State Senate
State Capitol
Oklahoma City, Oklahoma 73105

Sir:

Upon the face of the returns of the General Election, November 2, 2004, certified to this office by the several County Election Boards of the State, the candidates named in the list attached appear to have been regularly elected as Members of the Oklahoma State Senate for the districts indicated.

Certificates of Election have been issued to them by this Board, entitling each to participate in the preliminary organization of the Senate.

NAME	POL.	ADDRESS	DIST. NO.
Charles Wyrick	D	Fairland	1
Jim Wilson	D	Tahlequah	3
Jeff Rabon	D	Hugo	5
Richard C. Lerblance	D	Hartshorne	7
Earl Garrison	D	Muskogee	9
Judy Eason McIntyre	D	Tulsa	11
Susan Paddack	D	Ada	13
Jonathan Nichols	R	Norman	15
Charlie Laster	D	Shawnee	17
Patrick Anderson	R	Enid	19
Mike Morgan	D	Stillwater	21
Ron Justice	R	Chickasha	23
Mike Mazzei	R	Tulsa	25
Owen Laughlin	R	Woodward	27
John Ford	R	Bartlesville	29
Don Barrington	R	Lawton	31
Randy Bass	D	Lawton	32
Tom Adelson	D	Tulsa	33
James A. Williamson	R	Tulsa	35
Nancy Riley	R	Tulsa	37
Brian A. Crain	R	Tulsa	39
Clark Jolley	R	Edmond	41
Jim Reynolds	R	Oklahoma City	43
Kathleen Wilcoxson	R	Oklahoma City	45
Todd Lamb	R	Edmond	47

Respectfully submitted,

/s/MICHAEL CLINGMAN, Secretary
State Election Board

OATH OF OFFICE

President Fallin announced that the Official Oath of Office was administered to the twenty-five newly elected members on November 16, 2004 by Chief Justice Joseph Watt of the Oklahoma Supreme Court.

The President ordered the roll call on the newly elected members of the Senate.

Present: Adelson, Anderson, Barrington, Bass, Crain, Eason McIntyre, Ford, Garrison, Jolley, Justice, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Nichols, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.—25.

President Fallin declared a quorum present.

ELECTION OF PRESIDENT PRO TEMPORE HOBSON

Senator Kerr moved that Senator Cal Hobson be elected President Pro Tempore of the Senate for the Fiftieth Legislature, which motion was seconded by Senator Eason McIntyre. Senator Justice moved that Senator Glenn Coffee be elected President Pro Tempore of the Senate for the Fiftieth Legislature, which motion was seconded by Senator Riley. Senator Corn moved that all nominations cease, which motion to cease was declared adopted. Senator Hobson was declared the President Pro Tempore of the Senate for the Fiftieth Legislature upon roll call as follows:

Hobson: 26 Coffee: 21 Excused: 1

Senator Morgan moved that the President appoint a committee to escort President Pro Tempore Hobson to the President's desk.

The motion was declared adopted and the President appointed Senators Capps, Monson, Rabon, Gumm and Anderson as the special committee.

President Fallin, on behalf of the Senate, congratulated Senator Hobson and handed the gavel to the President Pro Tempore.

President Pro Tempore Hobson delivered the following address:

Thank you, Governor Fallin, for your generosity, your professionalism and your kind words. Senator Kerr, thank you for those overly generous remarks. I deeply appreciate every one of them. I shall never forget them. Senator Eason McIntyre, thank you for your seconding nomination. At this critical time for this body and quite frankly this State, I deeply appreciate what you had to say as well. Father Joe Ted, my good friend from Norman, a counselor and advisor for 25 years, thank you sir for honoring us with your words today. They will mean much to all of us if we will remember them and use them. To the escorts who were kind enough to join me as we moved to the podium, Senator

Capps, the entire body has special moments and prayers for you and your family. I thank you sir for leading the State Senate. You are our Dean. And that is why I thought it imperative that you be the leader of the group that escorted me to the podium. Senator Monson, you too have great challenges and I deeply appreciate you being here and also joining the escort group and in leading not only Oklahoma but the Nation of 7500 elected officials. I thank you very, very much. Senator Rabon, Senator Gumm and Senator Anderson, the faces of the future of this body. Thank each one of you for stepping forward to join me as we came to the podium.

For those who voted for Senator Coffee, let me reassure you that is how it should be. There is no animosity, no heartburn at all. I will attempt to have your State income taxes audited, but outside of that there is very little that will have a consequence. Thank you for all participating. It's called a democracy and I am very, very proud of the process we had here today.

Two years ago, I stood before you and the days in Oklahoma at that time were very very dark and we had enormous challenges ahead of us. At that time I also had in attendance, Senator Crain, my family, a large number of my family members, and they had to endure that speech I gave for the Freshmen. There is no need to go into it, but the bottom line was it went on too long. So, none of my family is here today. They all scheduled in July, root canals, so that they are tied up on both sides of the family and that is just fine.

I did write this speech, but for the most part it has been audited and edited and shortened. Senator Fisher, I have about five to seven minutes left. I'll move precisely along.

Two years ago, this body and the body across the hall and our Governor faced a \$700,000,000 budget shortfall. Thanks to the leadership of Senator Morgan, Senator Robinson, the subcommittee chairs, and others of both parties, we closed that gap together. We do not face that challenge today. We have much brighter days ahead of us. And contrary, quite frankly, to some popular opinion, we have a very conservative budget formula that works in Oklahoma, one of the most conservative in the Country. I am one who believes there are entities in the private sector that could learn from us. Entities such as Enron and WorldCom when it comes to balancing their books. We can not go into debt, we do not go into debt and we have one of the strongest Rainy Day Funds in the Country and that is not by accident.

Let's look forward quickly to 2005. We have the largest Freshmen class in over two decades. That does not bother or worry me one bit. There is extraordinary talent among both parties in this strong Freshman class. It can and will be a great year for Oklahoma in 2005, but they are expecting us to lead. And they are first expecting us to lead in what they told us to do. They told us to forget our disagreements of last year. They said by 65% margin they want a State lottery and they want the money used for public education. That is precisely and exactly what we are going to do.

They wanted an Indian Gaming Regulatory Act. That earmarks money to the public schools and to our higher education system by a margin of 60%. I, quite frankly Senator Laughlin, always coveted 60%. I made it one time. The first time I ran, I got 68%. Once they got to know me, the numbers started going down. They have spoken on those issues. It is our job now to carry out the details of implementing that legislation.

They also said they want a healthier Oklahoma. As do each and every one of you. You have children and you have grandchildren and they said clean up the health in the State of Oklahoma by a margin of 54%. We are going to invest, Senator Morgan, under your leadership, \$500,000,000 in making Oklahoma a healthier State and I am extremely proud of that. We will break ground, and I hope that each and every one of you will be there, on a world class cancer center, treatment center and research center in Oklahoma. It is long over due. Other things that will be funded by the health dollars, trauma, you know the rest of the issues. We will insure upward to 200,000 Oklahomans currently without health insurance. Imagine in your family if you did not have health insurance and you were struck with some illness. What in the world would you do? It is long overdue that we invest in the fact that Oklahoma is one of the worst States in the Nation when it comes to providing health care to our citizens. That vote is going to dramatically change that environment.

I'll skip this quickly, Senator Pruitt, we have an even more conservative Rainy Day Fund thanks to the wisdom of the voters and leadership of Senator Williamson, who worked hard on the formula in a bipartisan way and I appreciate that. He and many others.

And for the third year in a row, we are going to work together on the Tort system in Oklahoma. No other state has dealt with the Tort issue for three years in a row and we have done it together. Look at the vote. The vote last year on the Tort legislation that passed the Senate passed with a vote of 39-7. It was a bipartisan vote. Some have forgotten that. I have not. Lots of work went into that, public hearings, people under oath testified as to what we should do on that particular issue. We will once again step into that mine field and I hope that we will do it together.

This year we will have the time to devote to the issue of Worker's Compensation. I understand the calculations, the numbers and the arguments on both sides. We need to remember two things. We need to remember who pays the premiums and we need to remember the injured workers. If you will keep your focus on that we will have success this year in refining and defining the Worker's Compensation system in Oklahoma.

We are a young State. Full of enthusiasm, full of opportunities, if we will simply reach out and grasp it. I have many, many examples of the success that we have created working together, but I see my clock is running down. Things like Dell coming to Oklahoma City, things like Boeing going to Tulsa, things like saving the Dayton plant that you, Senator Wilcoxson, worked so hard on. Saving the Goodyear plant that two former Senators from Lawton, who are not here today. Saving the Michelin plant in Ardmore. Those things just don't happen. They take cooperation, hard work and vision and this body had provided it throughout the years.

We have the second highest ACT scores in the Southern region of this Country and we do this while paying our teachers among the lowest in the Country. We get a wonderful return on our investment, we just don't invest much. The Kansas Legislature has been ordered into Session to provide additional money for public education by the Kansas Supreme Court. It is our responsibility, Elected Officials, to not be ordered, but to fund education as our highest priority. We should do that together and we have been given the tools by the voters to do that and we disregard their advise to our own peril and risk.

There are many other examples, but I think I will close with the greatness of our State with what I hope is everyone's favorite example. That will be tonight, in a warmer city in a more Southern climate, a University from this Great State will win a particular football game and will end up #1 in all the polls. That line was inserted by Robin Maxey. He said you have to have one line that they will applaud for. So that is why that is in there. I still think that will happen. Then Senator Nichols and I, who will become friends again someday, will bring that University of Oklahoma football team here and all of you will think it is a routine day, we will treat them as gods, which they are not. They are eighteen, nineteen and twenty year old kids but you will scramble after them begging for autographs, pictures and all that stuff. Do not use that in your political advertisements. That is not allowed. Stoops will be here as well. It will be a great day.

In closing, Senator Fisher, there is only 48 of us. You have been selected to be in the most elite body in this State. As a former Senator once said, and I am not ashamed to say his name, Senator Stipe reminded us that we are the only continually serving body elected in the State of Oklahoma. That is you, that is me, that is us. Nobody else. The House is like the Balkans. I lived there for 12 years. Some of you were smart enough to come directly here. I took a little longer getting over here. Senator Taylor, my mentor, was over there in the same year of 1978. Senator Shurden, 1978, and others. They are just a little different over there. It's OK. It is called the noise of democracy. Great responsibility falls on you that does not fall on that body. You need to think about that as you cast your votes as you move this State forward.

We have a great Senate staff. They are not partisans. I do not know how a single member of the Senate staff is registered. It is none of my business. I don't know if they are Democrats, Republicans, Socialists, Independents, Communists. I don't know and I don't care. What I care about is what is in between their ears. Can they think? Can they solve the extraordinary problems with us together? And they can, if we can just listen. It took me many, many years to come to understand that.

I am very proud of the education system in our State. Kindergarten through Graduate School. This State was recently designated as the finest State for Pre-K education in the Country. That didn't just happen. Senator Fisher worked on that for about a decade. Freshmen, you don't have a decade. You've been allocated 12 years at most. Make a difference early, make a difference in health care, in education, and infrastructure and then you will be remembered for what you were for, and not for what you were against.

Finally, Room 422 is right around the corner here. As long as I am in there, the rules of engagement are this: When a member needs to get into Room 422, you come first. Just come on in. If you are mad or if people are chasing you down the hall, it is a good place to hide out. Just come on in and we will visit about what the problem is. Sometimes it will work out right, Senator Williamson, and sometimes it doesn't. And that is OK too. That's democracy and we are going to have a bunch of it in Oklahoma I suspect this coming Session.

In closing, if we'll work with the Governor, if we'll work with the leadership of the House of Representatives, there is nothing that we can not accomplish. This is potentially the finest year in a quarter of a century for our customers, the taxpayers and the citizens of the State of Oklahoma, if we don't blow it. So let's do that work together. I look forward as an equal with each one of you 47. We all have one vote. We've got work to do Governor. I want to work with you, as you know, to move forward and accomplish those things for our citizens. I thank you for your patience.

SENATE RULES

Senator Fisher moved that the Code of Conduct and the Rules for the Forty-ninth Legislature, as amended by the proposal which has been distributed, be adopted as the Code of Conduct and the Rules for the Fiftieth Legislature.

Senator Williamson moved to amend the proposed Senate Rules by inserting a new subsection (I) to Rule 7-7. Senator Fisher moved to table the Williamson amendment, which tabling motion was declared adopted upon roll call as follows:

Ayes: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.—26.

Nays: Aldridge, Anderson, Barrington, Branan, Brogdon, Coffee, Crain, Ford, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.—21.

Excused: Coates.—1.

Senator Morgan moved to amend the proposed Senate Rules by inserting a new subsection C to Senate Rule 12-4 to read as follows:

“C. For any bill which has been recommended to the full Senate by a Senate committee with a stricken title or enacting clause, the title or enacting clause shall not be restored as part of an amendment proposing a floor substitute, but an amendment to restore the title or enacting clause may be considered separately.”, which amendment was declared adopted.

The Senate Code of Conduct and the Senate Rules for the Fiftieth Legislature, as amended and adopted, read as follows:

**PROPOSED SENATE RULES
FOR THE
FIFTIETH OKLAHOMA LEGISLATURE (2005-2006)**

**BEING THE STANDING RULES FOR
CONDUCTING BUSINESS OF
THE STATE SENATE OF OKLAHOMA,
FIFTIETH OKLAHOMA LEGISLATURE (2005-2006)**

WITH AMENDMENTS TO

RULE 1-5

RULE 2-1

RULE 2-2

RULE 3-3

RULE 5-7

RULE 7-1

RULE 7-7

RULE 10-2

RULE 12-4

RULE 12-10

RULE 12-16

RULE 12-23

RULE 16-1

CODE OF CONDUCT AND STANDARDS

WITH ENACTMENT OF

RULE 12-26

RULE 16-2

CHAPTER 1

**APPLICATION, PURPOSE, INTERPRETATION
AND AMENDMENT OF THE RULES**

RULE 1-1. APPLICATION. From adoption by a majority of the members of the Senate, the following rules shall be the rules for the conduct of business by the Senate.

RULE 1-2. PURPOSE. The purpose of the rules is to provide the members of the Senate with uniform, easily understood procedures for the conduct of business.

RULE 1-3. INTERPRETATION. When the Senate is in daily session, interpretation of the rules shall be made by the President Pro Tempore or by an elected member of the

Senate designated by the President Pro Tempore as Presiding Officer pursuant to Senate Rule 2.4; when a committee is meeting, interpretation of the rules shall be made by the chair, or in the chair's absence the vice-chair, of the committee; and at all other times interpretation of the rules shall be made by the President Pro Tempore of the Senate. Such interpretations shall be final unless an appeal of a ruling is made successfully in the following manner:

A. Before other business is transacted by the Senate or by the committee, a member of the Senate or the committee may appeal the ruling by offering a substitute ruling.

B. Once a motion to adopt a substitute ruling is made, no other business shall be transacted until the motion is disposed of by the Senate or by the committee.

C. A motion to adopt a substitute ruling shall be subject to all other Senate Rules pertaining to motions.

RULE 1-4. AMENDMENT. Any Senate Rule may be amended upon two-thirds vote of the members of the Senate.

RULE 1-5. SUSPENSION. ~~Any~~ Except as provided in subsection F of Rule 12-23, any Senate Rule may be suspended upon two-thirds vote of the members of the Senate.

CHAPTER 2 SENATE OFFICERS

RULE 2-1. OFFICERS. Officers of the Senate shall be:

The President, who shall be the Lieutenant Governor of the State of Oklahoma

The President Pro Tempore, who shall be the Presiding Officer of the Senate

The Majority Floor Leader

The Assistant Majority Floor Leaders ~~(3)~~ (5)

The Majority Whips ~~(2)~~ Whip

The Minority Floor Leader

The Assistant Minority Floor Leaders (2)

The Minority Whips (2)

The Secretary

RULE 2-2. ELECTION. The President Pro Tempore shall be elected by a majority of the members of the Senate when the Senate convenes on the first Tuesday after the first Monday in January of each odd-numbered year. The Majority Floor Leader, Assistant Majority Floor Leaders and the Majority Whips ~~Whips~~ Whip shall be designated by the Majority Caucus. The Minority Floor Leader, the Assistant Minority Floor Leaders and the Minority Whips shall be designated by the Minority Caucus. The Secretary of the Senate, who shall not be a member of the Senate, shall be elected by a majority of the members following election of the President Pro Tempore and announcement of the aforementioned Majority and Minority officers.

RULE 2-3. TERMS. The terms of all member officers of the Senate shall begin on the first Tuesday after the first Monday in January of each odd-numbered year and shall be for two years; provided, however, that the designee of the Majority Caucus for the office of President Pro Tempore and the designee of the Minority Caucus for Minority Floor Leader shall assume the duties of their respective offices on the fifteenth day following the General Election.

RULE 2-4. DUTIES OF THE PRESIDENT PRO TEMPORE.

A. The President Pro Tempore shall be the chief executive officer of the Senate and shall prescribe all policies not otherwise provided by law or by the rules. The President Pro Tempore shall serve as Presiding Officer of the Senate during its daily sessions but may designate another member of the Senate to serve as Presiding Officer at such times as the President Pro Tempore deems appropriate. Wherever the title Presiding Officer appears in the rules it shall mean the President Pro Tempore or an elected member of the Senate designated by the President Pro Tempore as Presiding Officer.

B. The President Pro Tempore may refer any matter concerning exercise of the Senate's discretionary powers and duties under Section 30 of Article V of the Oklahoma Constitution to a standing committee or select committee as the President Pro Tempore deems appropriate.

C. The President Pro Tempore shall determine the duties to be performed for the Senate by the Secretary of the Senate and shall designate a Chief of Staff to be responsible for staff duties not assigned to the Secretary of the Senate. The President Pro Tempore or a designee shall be responsible for the issuance of all warrants and vouchers and the maintenance of an accurate account of expenditures by the Senate.

**CHAPTER 3
STAFF**

RULE 3-1. PERSONAL STAFF. Each member of the Senate shall be entitled to designate a personal staff. Personal staff shall serve at the discretion of, and perform such duties as prescribed by, the individual member of the Senate for whom employed, subject to such policies as may be established by the President Pro Tempore.

RULE 3-2. LEADERSHIP STAFF. The President Pro Tempore shall be entitled to employ a leadership staff. Leadership staff shall serve at the discretion of, for such compensation pursuant to law as may be determined by, and perform such duties as prescribed by, the President Pro Tempore.

RULE 3-3. SERVICE STAFF. The Chief of Staff ~~and Staff Director~~, subject to the review and supervision of the President Pro Tempore, shall be authorized to employ service staff. Service staff shall be employed according to policies established by the ~~employing authority~~ President Pro Tempore and shall receive such compensation pursuant to law as may be determined by, and perform such duties as prescribed by, the ~~employing authority~~ President Pro Tempore. Service staff shall be responsible for the following:

- A. Preparation and transmission of all official communications of the Senate.
- B. Legislative procedure of the Senate, including the processing of official acts of the Senate, preparation and publication of the Senate Journal and such other publications as deemed appropriate by the Secretary of the Senate or the Chief of Staff, printing of bills and resolutions and maintenance of such other records as are required by the Senate.
- C. Dissemination of information to members of the Senate and the public.
- D. The custody and safekeeping of all bills and resolutions, including the accurate engrossment and enrollment thereof.
- E. The purchase, maintenance and distribution of such supplies and materials as are required for the Senate's business.
- F. The security, repair and maintenance of the Senate's property.
- G. Services provided to committees of the Senate, including the maintenance of clerical records and performance of reference services.
- H. The drafting of legislation.
- I. Such other services as may be prescribed by the Chief of Staff or the President Pro Tempore.

CHAPTER 4 RECORDS, AUDITS AND PROPERTY

RULE 4-1. OPEN RECORDS. All official records of the proceedings of the Senate and its committees shall be open for public inspection during regular office hours.

RULE 4-2. MANDATORY AUDIT. The President Pro Tempore shall cause an audit of the Senate's expenditures to be made at least once each fiscal year.

RULE 4-3. PHYSICAL PROPERTY. The President Pro Tempore shall be responsible for the physical property of the Senate and for that portion of the Capitol assigned to the Senate. The Chief of Staff, under direction of the President Pro Tempore, shall be authorized to perform routine repairs, maintenance and upkeep on such property and facilities.

RULE 4-4. SUPPLIES AND EQUIPMENT. The President Pro Tempore shall ensure that the use of Senate supplies and equipment, including Senate postage meters, is restricted to official Senate business. Questions of compliance shall be resolved by the President Pro Tempore or, at the discretion of the President Pro Tempore, the Rules Committee.

CHAPTER 5 LEGISLATION

RULE 5-1. LEGISLATION. Legislation to be considered by the Senate shall be limited to Senate Bills, Senate Joint Resolutions, Senate Concurrent Resolutions, Senate Resolutions, House Bills, House Joint Resolutions and House Concurrent Resolutions.

RULE 5-2. INTRODUCTION. Except as may be limited by Senate Rule 16-1, Senate Bills, Senate Joint Resolutions, Senate Concurrent Resolutions and Senate Resolutions may be introduced at any time beginning on the fifteenth day of November of each even-numbered year and ending at the time of sine die adjournment of the Second Session during the following even-numbered year. Legislation may be introduced by presentation to the Secretary of the Senate, together with as many copies as may be prescribed by the Secretary of the Senate. Each Senate Bill or Resolution shall be assigned a number by the Secretary of the Senate. House Bills, House Joint Resolutions and House Concurrent Resolutions may be introduced upon receipt of a message from the House of Representatives advising passage and engrossment of the measure.

RULE 5-3. FORM. No legislation shall be introduced in the Senate, except for House Bills, House Joint Resolutions and House Concurrent Resolutions, unless that legislation shall include a Title and an Enacting or Resolving Clause.

RULE 5-4. CONSIDERATION. All legislation considered by the Senate shall be subject to First Reading, Second Reading, Third Reading and Fourth Reading, as well as consideration by an appropriate committee.

RULE 5-5. RESTRICTIONS. For consideration by the Senate, Senate Concurrent Resolutions, Senate Resolutions and House Concurrent Resolutions shall be limited to the following purposes:

- A. Memorializing Congress, the President of the United States, or an executive agency of the federal government.

- B. Communicating with another entity of state government, or a subdivision thereof.
- C. Disapproving an administrative rule.
- D. Expressing legislative intent.
- E. Expressing policies of the Senate.

RULE 5-6. AUTHORS AND COAUTHORS. After introduction in the Senate of any bill or resolution, no Senator shall be shown or removed as author or coauthor on the face of the bill or resolution unless the Senator shall submit a written request to be so shown.

The change in authorship shall be shown on the face of the next official version of the bill or resolution; provided, however, a floor substitute for a bill or resolution may reflect any author or coauthor changes that have been submitted to the calendar clerk.

RULE 5-7. COPIES REQUIRED.

A. No legislation shall be considered by the Senate unless each member has been provided a copy of same.

B. Except as otherwise provided in this rule, no floor substitute or conference committee substitute shall be considered by the full Senate unless copies of such floor substitute or conference committee substitute shall have either:

1. been distributed to the desks of all members of the Senate; or
2. been made available to all members electronically and the members are notified of such electronic availability;

and such distribution or notification of electronic availability occurs prior to the adjournment of the Senate on a legislative day previous to consideration of the measure.

C. Subsection B of this rule shall not be applicable to

1. Appropriation bills, or
2. Any measure which is exempt from ~~Joint Rule 17~~ or Senate Rule 16-1.

D. For purposes of this rule, an appropriation bill shall mean a measure which has been recommended by the General Conference Committee on Appropriations or which affects

the receipt, expenditure or budgeting of state funds or funds under the control of an entity created by state law.

E. No bill or joint resolution may be considered by the full Senate after noon on the last Friday in May unless copies of such measure have:

1. Been distributed to the desks of all members of the Senate; or
2. Been made available to all members electronically, and the members are notified of such electronic availability;

at least four hours prior to consideration of the measure.

CHAPTER 6 PROPOSALS

RULE 6-1. PROPOSALS. Any member of the Senate may at any time submit in writing to the President Pro Tempore a proposal for study or consideration by the Senate.

CHAPTER 7 COMMITTEES

RULE 7-1. TYPES AND NUMBER. There shall be two types of Senate committees, to-wit: standing committees and select committees. The President Pro Tempore shall appoint the chair and vice-chair of each standing committee and of each select committee. The standing committees shall be the Rules Committee and the following legislation committees:

Aerospace, Communications and Technology

Agriculture and Rural Development

Appropriations

Business and Labor

Commerce

Education

Energy, and Environment ~~and Communications~~

Finance

General Government

Health and Human Resources

Judiciary

Public Safety and Homeland Security

Retirement and Group Health

Sunset Review

Tourism and Wildlife

Transportation

Veterans; and Military Affairs, ~~and Public Safety~~

The President Pro Tempore may establish, and appoint the members of, as many ad hoc subcommittees of each standing committee as the President Pro Tempore deems appropriate. There shall be as many select committees as are created by the President Pro Tempore.

RULE 7-2. MEMBERSHIP. Membership on standing committees and on select committees shall be subject to the following:

A. The President Pro Tempore shall appoint, subject to the approval of the Senate, the Majority Caucus members of each standing committee.

B. The Minority Floor Leader shall appoint, subject to the approval of the Senate, the Minority Caucus members of each standing committee.

C. Membership of standing committees shall be approved by a majority vote of members of the Senate.

D. The President Pro Tempore shall appoint all members of select committees.

E. The President Pro Tempore and Majority Floor Leader shall each be ex officio and voting members of all Senate committees.

RULE 7-3. DUTIES OF THE RULES COMMITTEE. The Rules Committee shall prescribe a Code of Conduct and Standards for Members of the Senate and Staff and shall determine any other policies of the Senate submitted to it by the President Pro Tempore.

RULE 7-4. DUTIES OF LEGISLATION COMMITTEES. Each legislation committee shall be responsible for the formulation of legislative programs and determination of nonlegislative matters within the jurisdiction prescribed by the

President Pro Tempore; shall inquire into the administration and execution of all laws within the same jurisdiction; shall consider such proposals as may be submitted to the committee by the President Pro Tempore; and shall be responsible for the continuing codification of all laws within the prescribed jurisdiction.

RULE 7-5. DUTIES OF SELECT COMMITTEES. Select committees shall be responsible for such duties as are prescribed at the time of their formation. No select committee shall be formed without its duties being expressly stated at the time of its formation. If a select committee is appointed for the purpose of conducting an investigation, the Senator requesting the investigation shall not serve as chair of the committee.

RULE 7-6. AUTHORITY OF COMMITTEES. Any Senate committee is authorized to issue process, compel attendance of witnesses, and to administer oaths to any person appearing before the committee. Any Senate committee which considers legislation is empowered to consolidate bills or resolutions, to develop committee substitutes for such bills or resolutions, to amend such bills or resolutions and to develop a committee bill or resolution irrespective of any other legislation.

RULE 7-7. PROCEDURES. The following procedures shall be observed by all legislation committees of the Senate:

A. Subject to such exceptions as are provided hereinafter, committees of the Senate shall comply with provisions of the Oklahoma Open Meeting Act. A copy of all notices required by said Act shall be provided to the Chief of Staff, who shall designate the appropriate place for such notices to be posted. The Chief of Staff shall ~~post~~ cause to be posted one such notice on the bulletin board of the Senate located ~~outside the Senate chamber~~ in a place in the Capitol accessible to the public and shall take such other actions as may be deemed appropriate to provide adequate notice to the public.

B. The chair of a committee shall schedule meetings of the committee. Meetings shall not conflict with any regularly scheduled meeting of any other legislation committee, except with the consent of the President Pro Tempore.

C. The agenda for any meeting of a committee shall be set by the chair and shall include the date, time and place of the meeting. A copy of the agenda shall be provided to members of the committee and to authors of legislation to be considered by the committee at least twenty-four (24) hours prior to the meeting unless otherwise approved by the President Pro Tempore. An agenda for a meeting scheduled to meet prior to or during the first three days of session may reflect a measure for which assignment to the committee is anticipated, and the committee may act upon the measure; provided, the report of the committee's action on any such measure shall not be filed prior to the assignment of the measure; further provided, if the measure is not assigned to the committee during the first three days of session, any committee action on the measure taken prior to or during those days shall be of no force or effect and shall not be reported.

D. A quorum shall be present when any committee votes on any matter. Any member of a committee may request a quorum call at any time the committee is meeting. A number equal to a majority of the appointed members of the committee shall constitute a quorum.

E. The chair, or in the chair's absence the vice-chair, of the committee, or a designee, shall preside at meetings of the committee.

F. When considering legislation or conducting other business, committees shall observe the following procedures:

1. No person shall address the committee unless first recognized by the chair for that purpose.

2. When a legislative measure is taken up for consideration, the Senate author shall be recognized for explanation of the measure.

3. The Senate author shall be given the opportunity to answer questions put by members of the committee or other persons recognized by the chair.

4. The chair shall provide opportunity for presentation of amendments to the legislation by the Senate author or by any member of the committee. Any amendment must be seconded to receive further consideration.

5. Amendments and motions may be adopted by a voice vote; provided, however, that the Senate author, or any member of the committee, may require a roll call vote.

6. Amendments shall be considered in the order they appear in the legislation, or in the order they are presented to the clerk of the committee. The chair shall resolve any conflict resulting from claimed priority of presentation.

7. The author of an amendment shall explain the amendment and be afforded the opportunity to answer questions about the amendment put by members of the committee, the author of the legislation, or other persons recognized by the chair.

8. The chair may recognize any person for debate or comment on the proposed legislation or amendments thereto. The chair may limit the amount of time for any such debate or comment.

9. The vote on a recommendation by the committee to the Senate concerning a legislative measure shall be by recorded roll call and shall require a majority vote of a quorum of the members of the committee for passage. The only permitted recommendations to the Senate on a legislative measure are DO PASS or DO PASS, AS AMENDED.

G. Except for legislation containing appropriations, all legislation originating in the Senate which is recommended by a committee to the Senate shall contain an Enacting or Resolving Clause and both a Senate and a House author.

H. The chair may assign to any subcommittee any legislation, proposal or inquiry; provided, however, no subcommittee shall be permitted to report directly to the Senate, but rather shall report to the parent committee.

CHAPTER 8 COMMITTEE OF THE WHOLE

RULE 8-1. COMMITTEE OF THE WHOLE. Without prior notice, the Senate may, by motion approved by a majority of the members of the Senate, declare itself a Committee of the Whole, at which time the President Pro Tempore or a member designated by the President Pro Tempore shall chair the Committee of the Whole. Rules applicable to other Senate committees shall be applied to the Committee of the Whole, except those rules relating to notice.

RULE 8-2. REPORTS. Once the Committee of the Whole has reported a bill or resolution DO PASS or DO PASS, AS AMENDED, to the Senate, that bill or resolution shall be considered on Third Reading and shall be voted upon without consideration of amendments or debate.

CHAPTER 9 EXECUTIVE NOMINATIONS

RULE 9-1. REFERRAL OF EXECUTIVE NOMINATIONS. When Executive Nominations shall be made by the Governor or other appointing authority to the Senate, said nominations shall be referred for consideration to the standing committee which has in its jurisdiction the entity to which the nomination relates.

RULE 9-2. REJECTION. No person whose nomination has been rejected by the Senate shall be eligible to be later confirmed by the Senate during the same session for appointment to the same position. If an executive nomination is not approved during the regular session in which it is submitted, it shall be deemed rejected. If an interim executive nomination is not approved during the first regular session following its submission it shall be deemed rejected. The President Pro Tempore shall notify the appointing authority of the rejection of an executive nomination by the Senate, and shall likewise notify the chief executive of the entity to which the nomination relates.

CHAPTER 10 PROCEDURES FOR DAILY SESSIONS

RULE 10-1. TIME AND PLACE OF DAILY SESSIONS.

A. On the first Tuesday following the first Monday in January of each odd numbered year, the Senate shall convene in its chamber on the fourth floor of the Capitol at twelve o'clock noon for the purposes only of performing the duties as required by Section 5 of Article VI of the Constitution and organizing pursuant to the provisions of Article V of the Constitution and shall recess not later than five o'clock p.m. of that same day until the following first Monday in February of the same year, beginning at twelve o'clock noon.

B. On the first Monday in February of each year, the Senate shall convene in its chamber on the fourth floor of the Capitol at twelve o'clock noon. Thereafter, the Senate shall meet in daily sessions as necessary in the chamber until sine die adjournment. The time of each daily session shall be announced on the preceding legislative day; provided, however, that in the event no such announcement is made, the Senate shall convene at 1:30 p.m.

RULE 10-2. SEATING. The selection of seats of the membership of the Majority Party shall be made on the first day of the First Session of a Legislature and shall be made by the choice of the individual members in the following order: President Pro Tempore, Majority Floor Leader, Assistant Majority Floor Leaders in order of seniority, Majority Whips in order of seniority, Chair of the Appropriations Committee, Chair of the Finance Committee and thereafter on the basis of seniority in the Senate; ~~provided, that in~~ The remaining seats shall be selected by the membership of the Minority Party on the first day of the First Session of a Legislature and shall be made by the choice of the individual members in the following order: Minority Floor Leader, Assistant Minority Floor Leaders in order of seniority, Minority Whips in order of seniority and thereafter on the basis of seniority in the Senate.

In cases of equal seniority in the Senate, service in the House of Representatives shall be considered as additional seniority. In the event of equal seniority, preference shall be determined by lot. ~~The members of the Minority Party shall be seated in the same manner in the remaining seats.~~ The President Pro Tempore shall be authorized to make exceptions to the foregoing procedures as the President Pro Tempore deems necessary.

RULE 10-3. GALLERIES AND HALLWAYS. The President Pro Tempore or a designee is empowered to assign seats in the galleries of the Senate and is empowered to order the galleries and hallways of the Senate cleared to preserve order or to ensure the safety of the members of the Senate. Firearms and weapons are not allowed on the Senate floor, in the gallery, or in the Senate area without permission of the Sergeant at Arms.

RULE 10-4. ATTENDANCE. No business of the Senate shall be conducted without a quorum of its members being in attendance. A majority of the members elected to the Senate shall constitute a quorum. A member of the Senate who is absent from a daily session shall be shown as "excused."

RULE 10-5. QUORUM CALL. Any member of the Senate may, at any time, request the Presiding Officer to question the presence of a quorum. Upon such request, the Presiding Officer shall determine whether a quorum is present, and no further business shall be conducted until it is determined that a quorum is present.

RULE 10-6. CALL OF THE SENATE. The Senate may, by majority vote of the members present, operate under Call of the Senate, in which case the President Pro Tempore is empowered to compel the attendance of all members of the Senate and is empowered to confine the members of the Senate to the chamber. In such case, any member who fails to attend without being excused unanimously by the other members of the Senate shall be recorded as voting "NO" on all questions submitted to the Senate.

RULE 10-7. DECORUM. The decorum of members of the Senate and employees of the Senate during the daily sessions of the Senate shall be determined by the Code of Conduct and Standards for Members of the Senate and Staff and shall be enforced by the Presiding Officer.

RULE 10-8. PERSONAL PRIVILEGE. Personal privilege shall be granted to a member of the Senate only to permit such member to respond to a public attack on the rights, integrity or reputation of a member of the Senate, or upon the Senate collectively or any committee or employee of the Senate. Remarks made by a member of the Senate who is granted personal privilege shall be confined to such a response.

RULE 10-9. INTRODUCTIONS. No persons shall be introduced individually in the galleries, except that a member of the Senate may introduce family members. It shall also be permissible to introduce officials from other states and countries.

RULE 10-10. PRIVILEGES OF THE FLOOR. No person shall be permitted in the Senate chamber during the daily sessions of the Senate except members and former members of the Senate, employees of the Senate designated by the President Pro Tempore, members of the House of Representatives, the Governor and Lieutenant Governor, former Governors and former Lieutenant Governors, and any person who is permitted on the floor by a majority vote of those present; provided, however, that the above privileges shall exclude any person registered as a lobbyist under the statutes of Oklahoma.

RULE 10-11. SENATE LOUNGE AND ANTEROOMS. The President Pro Tempore may prescribe policies restricting the use of the Senate lounge and any rooms adjoining the lounge or the Senate chamber.

CHAPTER 11 ORDER OF BUSINESS FOR DAILY SESSIONS

RULE 11-1. ORDER OF BUSINESS. The Order of Business for each daily session of the Senate shall be:

Prayer

Executive Nominations

General Order

Third Reading

House Amendments to Senate Bills and Resolutions

Conference Committee Reports

Fourth Reading

Committee Reports

Second Reading

First Reading

Communications

Other Business

CHAPTER 12 FLOOR PROCEDURES

RULE 12-1. PRESIDING OFFICER'S AUTHORITY. The Presiding Officer shall maintain order in the Senate. No Senator or other person shall be permitted to address the Senate without first having been recognized by the Presiding Officer.

RULE 12-2. ORDER OF CONSIDERATION OF LEGISLATION. The Majority Floor Leader, or a designee, shall determine the order in which legislation is considered by the Senate.

RULE 12-3. GENERAL ORDER. All bills and resolutions reported by a committee of the Senate shall be referred to General Order. On General Order, the following procedure shall be observed:

- A. Explanation of the bill or resolution by the Senate author.
- B. Questions.
- C. Consideration of amendments.
- D. Advancement.

RULE 12-4. AMENDMENTS.

A. Amendments to bills or resolutions shall be in writing and shall be considered only on General Order. Amendments shall be considered first in the order in which they appear in the bill or resolution; second, according to the largest sum, greatest number or most distant day for amendments appearing in the same place; and third, in the order in which they are submitted. An amendment can be withdrawn at any time before it is voted upon by the author of the amendment. Once an amendment is read, it shall be explained by its author, who shall then answer questions concerning the amendment. If the author of the amendment is not in attendance at the time an amendment is read, the amendment shall be considered withdrawn unless another member of the Senate has taken or immediately takes coauthorship of the amendment and provides an explanation. An amendment shall be considered a public record from the time it is placed upon the clerk's desk.

B. After the final vote on third or fourth reading of any bill or joint resolution, no amendment to the measure shall be considered, by unanimous consent or otherwise, unless the final vote and advancement of the measure are properly reconsidered according to the Senate Rules.

C. For any bill which has been recommended to the full Senate by a Senate committee with a stricken title or enacting clause, the title or enacting clause shall not be restored as part of an amendment proposing a floor substitute, but an amendment to restore the title or enacting clause may be considered separately.

RULE 12-5. SUBSTITUTE AMENDMENTS. Only one substitute amendment shall be considered for any amendment to any bill or resolution. Once the substitute amendment is read, the same provisions applicable to the original amendment shall apply to the substitute amendment. If the substitute amendment is successful, the original amendment shall be rendered moot. If the substitute amendment is unsuccessful, the original amendment shall be considered by the Senate. There shall be no in lieu amendment to any amendment or substitute amendment.

RULE 12-6. ADVANCEMENT. Once a motion to advance has been adopted, the bill or resolution shall be considered engrossed and on Third Reading.

RULE 12-7. THIRD READING. Upon Third Reading of a bill or resolution, the Senate shall not consider amendments, but shall debate passage of the bill or resolution and then vote upon passage.

RULE 12-8. HOUSE AMENDMENTS. Upon receipt of House amendments to Senate bills or resolutions, the Senate author shall make a motion either to accept the amendments, in which case a successful vote on the motion shall automatically advance the bill to Fourth Reading and final passage, or to reject the amendments and request a conference with the House.

RULE 12-9. CONFERENCE COMMITTEES. The President Pro Tempore shall appoint members of the Senate to serve on conference committees with members of the House of Representatives at such times and in such numbers as the President Pro Tempore deems appropriate.

RULE 12-10. CONFERENCE COMMITTEE REPORTS.

A. Any Conference Committee Report shall be considered by the Senate only when a majority of the Senate conferees and a majority of the House conferees have signed the report and only when the report is limited to matters germane to the bill or resolution. If the Senate adopts a Conference Committee Report, the bill or resolution is before the Senate for Fourth Reading and final passage. If the Senate rejects a Conference Committee Report or a motion to adopt the report fails, the bill or resolution shall be returned to the conference committee. Upon a report by the Senate conferees that the conferees cannot agree, the bill or resolution reverts to its former status of consideration of House Amendments to Senate bills or resolutions.

B. The committee report proposed by the Senate author of a measure considered by the General Conference Committee on Appropriations may not be amended during the committee meeting at which the measure is considered.

RULE 12-11. FOURTH READING. Upon Fourth Reading of a bill or resolution, debate shall be in order on final passage of the bill or resolution, after which the vote shall occur on final passage. After final passage of a bill or resolution, it shall be signed by the Presiding Officer in open session.

RULE 12-12. COMMITTEE REPORTS ON LEGISLATION. Committee reports on legislation shall be considered adopted by the Senate when filed and shall be placed on General Order when filed.

RULE 12-13. COMMITTEE REPORTS ON EXECUTIVE NOMINATIONS. Committee reports on Executive Nominations may be combined by the Majority Floor Leader for consideration by the Senate. At the request of any member, however, a nominee shall be separated from the combined report and considered individually by the Senate. A majority vote of the members of the Senate shall be required for adoption of a combined report.

RULE 12-14. OTHER COMMITTEE REPORTS. Committee reports neither on legislation nor on Executive Nominations shall be filed with the Secretary of the Senate and explained by the chair of the committee making the report, whereupon the Senate may consider any action called for in the report.

RULE 12-15. FIRST READING. A bill or resolution shall be considered introduced upon First Reading and shall automatically be advanced to Second Reading.

RULE 12-16. SECOND READING.

A. The Second Reading of a bill or resolution shall occur the next legislative day following the First Reading. Upon Second Reading of a bill or resolution, the same shall be assigned for committee consideration. All bills carrying appropriations which are referred to any committee other than the Appropriations Committee shall, immediately upon a report by the committee to which referred, be referred to the Appropriations Committee.

B. All “shell bills”, except for appropriation bills as defined in Rule 5-7, and except for a bill which is exempt from ~~Joint Rule 17~~ or Senate Rule 16-1, shall be assigned to the Rules Committee. For purposes of this rule a “shell bill” shall mean a measure which does not make a substantive change in the law.

C. After preparation of a committee substitute which proposes a substantive change in the law, a shell bill which has been assigned to the Rules Committee may be withdrawn from the Rules Committee and assigned to some other committee. No shell bill, except for appropriation bills as defined in Rule 5-7, and except for a bill which is exempt from ~~Joint Rule 17~~ or Senate Rule 16-1, shall be reported out of a committee until it has been amended to include a substantive change in the law.

RULE 12-17. DEBATE. When a question subject to debate is before the Senate, a motion to limit the time for debate shall be in order, even if debate already has begun. The motion shall fix the time limits to be allowed for and against the motion, provided that in no case shall the total debate allotted to each side be less than one-half hour. If such motion is successful, the Presiding Officer shall cause the time limits to be enforced and shall divide the time equally for each side of the question. If the motion is once rejected on a question being debated, it can only be adopted with the approval of two-thirds of those voting.

RULE 12-18. ADJOURNMENT. A motion to adjourn shall always be in order except when the motion shall have been the last voted on and no business is transacted thereafter.

RULE 12-19. AFTER ADOPTION OF MOTION TO ADJOURN. Once a motion to adjourn when the desk is clear has been adopted, no motion shall be considered from the floor of the Senate, whether by unanimous consent or otherwise.

RULE 12-20. SINE DIE ADJOURNMENT. The date and time of sine die adjournment of the Senate shall be fixed by motion or resolution; provided, that once the date and time of such sine die adjournment has arrived, no further business shall be conducted by the Senate, and the Presiding Officer shall declare the Senate adjourned sine die.

RULE 12-21. CORRECTION OF LANGUAGE. The Secretary of the Senate shall, at the direction of the President Pro Tempore and with the approval of the Senate author, have the authority to correct nonsubstantive errors in the language of any bill or resolution at the time the same is engrossed or enrolled. A detailed record of all such

corrections shall be maintained by the Secretary and printed in the Journal. The Title of a bill or resolution shall be made to conform to the text, unless the same has been ordered crippled. The Enacting Clause shall be a part of every bill unless the same shall have been ordered stricken.

RULE 12-22. WITHDRAWAL FROM COMMITTEE. Any bill or resolution may be withdrawn from any committee of the Senate upon a two-thirds vote of the members of the Senate. Any bill or resolution so withdrawn shall be on General Order.

RULE 12-23. RECONSIDERATION. The final vote on Third Reading or Fourth Reading of any bill or joint resolution or on the emergency clause or special election feature or other special feature of any bill or joint resolution may be reconsidered only if a member of the Senate serves notice on the same day the vote to be reconsidered is taken. Once such notice is served, the following procedures shall be observed:

A. In anticipation of the closing days of a regular session, a majority of the members of the Senate may vote that all motions to reconsider made thereafter shall be disposed of on the same day such notice is served.

B. Except as heretofore provided, the member serving notice for reconsideration shall not be permitted to make the motion to reconsider on the day notice is served, but shall have the exclusive right to make such a motion on the next two succeeding legislative days; provided, that on the third succeeding legislative day, any member of the Senate shall have the right to make such a motion. If no such motion is made on the third succeeding legislative day, then no reconsideration shall be permitted.

C. If the Senate refuses to reconsider or if, upon reconsideration, affirms the first decision, no further consideration shall be in order.

D. For adoption, a motion to reconsider the final vote on a bill or resolution or on the emergency clause or special election feature or other special feature must be approved by a majority of the members of the Senate.

E. A motion to reconsider any other action by the Senate must be made by a Senator who voted in the majority and shall be disposed of on the same day it is lodged. The motion to reconsider shall be decided by a majority of those voting on the question.

F. It shall not be in order for the Senate, by suspension of the Rules or by any other means, to reconsider in the Second Regular Session of a Legislature the vote by which any bill or joint resolution was defeated in the First Regular Session.

RULE 12-24. OVERRIDES OF VETOES. When a bill or resolution is returned to the Senate because of veto by the Governor, a motion to vote to override the veto shall be in order at any time.

RULE 12-25. CORRECTION OF INACCURACIES. The Senate Service Staff is authorized to correct misspelled words, incorrect citations, typographical errors, repeated words and other similar errors when engrossing or enrolling Senate bills or joint resolutions, or Senate amendments to engrossed House bills or joint resolutions and when preparing committee reports and floor versions of Senate bills or joint resolutions.

RULE 12-26. CORRECTION OF FORM OF BILLS

A. When engrossing or enrolling Senate bills or joint resolutions, or Senate amendments to engrossed House bills or joint resolutions and when preparing committee reports and floor versions of Senate bills or joint resolutions, the Senate Service Staff is authorized to remove sections from a bill or joint resolution labeled as amendatory sections but which consist entirely of existing law and contain no amendments to the existing law.

B. When engrossing or enrolling Senate bills or joint resolutions, or Senate amendments to engrossed House bills or joint resolutions and when preparing committee reports and floor versions of Senate bills or joint resolutions, the Senate Service Staff is authorized to incorporate amendments to sections of law in the bill or joint resolution which are contained in measures enacted previously during the same legislative session and amending the same sections of law and repeal such previous versions of the section at issue if, in the opinion of the General Counsel, or a staff attorney designated by the Chief of Staff, the incorporation of such amendments and repeal of the previous version would clearly not conflict with the amendments contained in the measure at issue.

**CHAPTER 13
MOTIONS**

RULE 13-1. ORDER OF PRIORITY. Motions shall be considered in the following order of priority:

- A. To adjourn to a time certain.
- B. To adjourn.
- C. Substitute ruling motion.
- D. To recess.
- E. To operate under Call of the Senate.
- F. To limit debate.
- G. To advance a measure or adopt a Conference Committee Report.
- H. To suspend the rules.

- I. To commit to a committee without instructions.
- J. To commit to a committee with instructions.
- K. To amend.

RULE 13-2. DEBATE. Debate shall be in order on all motions, except the following:

- A. To adjourn to a time certain.
- B. To adjourn.
- C. To recess.
- D. To operate under Call of the Senate.
- E. To limit debate.
- F. To advance.
- G. To commit to a committee without instructions.
- H. To table.
- I. To suspend the rules.

RULE 13-3. MOTIONS TO TABLE. Motions to table shall be in order for all motions except the following:

- A. To adjourn to a time certain.
- B. To adjourn.
- C. To recess.
- D. To operate under Call of the Senate.
- E. To limit debate.
- F. To advance.

RULE 13-4. PRECEDENCE. Motions to table shall take precedence over the original motion. If successful, a motion to table shall constitute a final disposition of the original motion.

RULE 13-5. PRIORITY OF MOTIONS NOT ENUMERATED. Except for those motions otherwise enumerated by priority, all motions shall have equal priority and shall be considered in the order made, or in the order placed on the clerk's desk.

RULE 13-6. WRITTEN MOTIONS. The Presiding Officer may require any motion to be in writing and placed upon the clerk's desk.

RULE 13-7. SUBSTITUTE MOTIONS. Only one substitute motion for a motion of equal priority shall be considered. If the substitute motion fails, the original motion shall be disposed of before another motion of the same priority can be considered.

RULE 13-8. VOTE REQUIRED. Unless otherwise provided, a motion shall be declared adopted if it is approved by a majority of the members present and voting thereon.

CHAPTER 14 VOTING

RULE 14-1. MANNER OF VOTING. All votes of the Senate shall be by voice vote, division or roll call vote subject to the following:

A. The voting machine shall be used to record the vote whenever a roll call vote is taken on any question. The machine shall also be used to determine the presence or absence of a quorum. In the event the machine is not operating properly, all roll call votes and determinations of quorums may be taken by calling the roll. The voting machine shall be under the control of the Presiding Officer and shall be operated by a clerk designated by the Presiding Officer.

B. During any roll call, every Senator present shall vote. During a roll call, the Presiding Officer shall request every Senator in the chamber who has not voted to vote. If any Senator so requested fails to vote, the Presiding Officer shall, upon declaring the roll, order that said Senator be shown as voting "NO" on the question. Said order shall be printed in the Journal directly following the printing of the results of the roll call as reflected by the voting machine, and said "NO" vote shall be included in the determination of the passage or failure of the question. In all other cases, a Senator who fails to vote shall be shown as "excused" in the Journal.

C. On any question for which a roll call vote is not required, a roll call vote shall be in order only if requested before the question is put. Once the question has been put and a voice vote taken, the Presiding Officer shall state the side that appears to the Presiding Officer to have prevailed, and any member then may request a division, but shall not be entitled to request a roll call vote. The declaration of the vote by the Presiding Officer shall be final.

D. No Senator shall be permitted to vote or change a vote after the result has been announced by the Presiding Officer.

E. If a member's voting machine is inoperative, the member shall rise and advise the Presiding Officer of the malfunction; and the Senator will be permitted to verbally vote on the question; and the vote will then be recorded by the clerk.

F. When a division is called for, those voting in the affirmative shall rise at their seats and remain standing until counted; then those voting in the negative shall rise and stand until they are counted, whereupon the Presiding Officer shall declare the result.

CHAPTER 15 LOBBYISTS AND MEDIA REPRESENTATIVES

RULE 15-1. LOBBYISTS. All lobbying activities in the Senate shall be governed and regulated by law and by the Rules of the Senate.

RULE 15-2. MEDIA REPRESENTATIVES. The Chief of Staff, at the direction of the President Pro Tempore, may issue credentials to representatives of the news media and may limit access to the Press Gallery to those members of the news media holding such credentials.

CHAPTER 16

RULE 16-1. SENATE LEGISLATIVE PROCEDURE SCHEDULE.

A. During the First Regular Session of the 49th 50th Oklahoma Legislature, the Senate shall adhere to the following legislative procedure schedule:

1. The First Regular Session of the 49th 50th Oklahoma Legislature shall convene at twelve noon on ~~January 7, 2003~~ January 4, 2005, for the purpose only of performing the duties set forth in Section 5 of Article VI of the Constitution and organizing pursuant to the provisions of Article V of the Constitution, and shall recess no later than five p.m. on that same day until ~~February 3, 2003~~ February 7, 2005, beginning at twelve noon.

2. ~~December 13, 2002~~ December 10, 2004, shall be the final date for requesting the drafting of bills or joint resolutions in the Senate for introduction for consideration during the First Regular Session.

3. ~~January 28, 2003~~ January 20, 2005, shall be the final date for introduction of bills and joint resolutions in the Senate for consideration on the floor of the Senate during the First Regular Session. Bills and joint resolutions subsequently introduced if reported from Committee, shall not be placed on the Calendar for consideration in the Senate until the first legislative day of the Second Regular Session.

4. ~~February 20, 2003~~ February 24, 2005, shall be the final legislative day for reporting Senate bills and Senate joint resolutions from Committee in the Senate, and the Committee Report must be properly filed in the Senate within one (1) legislative day

thereafter, in order for the bill or joint resolution to be placed on the Calendar for consideration in the Senate during the First Regular Session. Bills and joint resolutions subsequently reported from Committee shall not be placed on the Calendar for consideration in the Senate until the first legislative day of the Second Regular Session.

5. ~~March 13, 2003~~ March 17, 2005, shall be the final legislative day for third reading and final passage of a Senate bill or Senate joint resolution in the Senate.

6. ~~April 3, 2003~~ April 7, 2005, shall be the final legislative day for reporting House bills and House joint resolutions from Committee in the Senate, and the Committee Report must be properly filed in the Senate within one (1) legislative day thereafter, in order for the bill or joint resolution to be placed on the Calendar for consideration in the Senate during the First Regular Session. Bills and joint resolutions subsequently reported from Committee shall not be placed on the Calendar for consideration in the Senate until the first legislative day of the Second Regular Session.

7. ~~April 24, 2003~~ April 28, 2005, shall be the final legislative day for third reading and final passage of a House bill or a House joint resolution in the Senate.

8. ~~May 1, 2003, shall be the final legislative day in the Senate for rejecting House amendments to a Senate bill or a Senate joint resolution and requesting a Conference Committee on the bill or joint resolution.~~

9. The First Regular Session shall adjourn sine die not later than five p.m. on ~~May 30, 2003~~ May 27, 2005.

~~10.~~ 9. Upon a two-thirds (2/3) vote of the membership of the Senate, a bill or joint resolution can be exempt from all cutoff dates in the Senate.

B. During the Second Regular Session of the 49th 50th Oklahoma Legislature, the Senate shall adhere to the following legislative procedure schedule:

1. ~~December 12, 2003~~ December 9, 2005, shall be the final date for requesting the drafting of bills or joint resolutions in the Senate for introduction for consideration during the Second Regular Session.

2. ~~January 27, 2004~~ January 19, 2006, shall be the final date for introduction of bills and joint resolutions in the Senate for consideration on the floor of the Senate during the Second Regular Session.

3. The Second Regular Session of the 49th Oklahoma Legislature shall convene at twelve o'clock noon on ~~February 2, 2004~~ February 6, 2006.

4. ~~February 19, 2004~~ February 23, 2006, shall be the final legislative day for reporting Senate bills and Senate joint resolutions from Committee in the Senate, and the Committee Report must be properly filed within one (1) legislative day thereafter, in order

for the bill or joint resolution to be placed on the calendar for consideration in the Senate during the Second Regular Session.

5. ~~March 11, 2004~~ March 16, 2006, shall be the final legislative day for third reading and final passage of a Senate bill or a Senate joint resolution in the Senate.

6. ~~April 1, 2004~~ April 6, 2006, shall be the final legislative day for reporting a House bill or a House joint resolution from Committee in the Senate, and the Committee Report must be properly filed in the Senate within one (1) legislative day thereafter, in order for the bill or joint resolution to be placed on the Calendar for consideration in the Senate during the Second Regular Session.

7. ~~April 22, 2004~~ April 27, 2006, shall be the final legislative day for third reading and final passage of a House bill or a House joint resolution in the Senate.

8. ~~April 29, 2004, shall be the final legislative day in the Senate for rejecting House amendments to a Senate bill or a Senate joint resolution and requesting a Conference Committee on the bill or joint resolution.~~

9. The Second Regular Session shall adjourn sine die not later than five p.m. on ~~May 28, 2004~~ May 26, 2006.

~~10.~~ 9. Upon a two-thirds (2/3) vote of the membership of the Senate, a bill or joint resolution can be exempt from all cutoff dates in the Senate.

C. This rule shall be inapplicable to any joint resolution introduced for the purpose of disapproving or approving agency rules pursuant to the provisions of the Administrative Procedures Act as set forth in Section 250 et seq. of Title 75 of the Oklahoma Statutes.

D. This rule shall be inapplicable to any bills introduced for the purposes of incorporation and merging different versions of a statute amended in more than one measure at the same or different sessions of the Legislature as set forth in Section 23.1 of Title 75 of the Oklahoma Statutes.

E. This rule shall be inapplicable to any bill or joint resolution introduced for the purpose of approving, disapproving, repealing or modifying rules of the Ethics Commission pursuant to the provisions of Section 3 of Article XXIX, ~~Section 3~~ of the Oklahoma Constitution.

F. This rule shall be inapplicable to any bill or joint resolution which proposes a special or local law and for which notice of intended introduction is published in a newspaper for four consecutive weeks pursuant to the provisions of Section 32 of Article V of the Oklahoma Constitution.

RULE 16-2. PENDING LEGISLATION AT ADJOURNMENT OF FIRST REGULAR SESSION

A. Any bill or joint resolution pending in the Senate at the final adjournment of the First Regular Session of the 50th Legislature shall carry over to the Second Regular Session with the same status as if there had been no adjournment. Bills and joint resolutions pending in a Conference Committee at such time shall not carry over to the Second Regular Session of the 50th Legislature.

B. Simple and concurrent resolutions pending in the Senate at the final adjournment of the First Regular Session of the 50th Legislature shall not carry over for consideration during the Second Regular Session.

**CODE OF CONDUCT AND STANDARDS
FOR MEMBERS OF THE SENATE AND STAFF**

1. Coat and tie shall be worn by male members; and appropriate attire shall be worn by female members in the chamber during sessions of the Senate.
2. Each Senator is personally responsible for his or her own staff. All other staff members of the Senate are under the authority of the Chief of Staff ~~and Staff Director~~. Complaints pertaining to employees, either personal staff or Senate staff, should be made to the proper authority rather than to the individual.
3. (a) On the floor during session and in committee, members should endeavor to be congenial and complimentary. Members should avoid personal attacks and dealing in personalities. (b) During public occasions away from the Capitol, members should endeavor to keep personalities out of their discussions and deal with programs, not personalities.
4. The consumption of alcohol is forbidden in the chamber, and any member who is in the chamber in an intoxicated state will be removed by security personnel.
5. It is beneath the dignity of the Senate for members to consume food products such as sandwiches or ice cream bars in the chamber.
6. Members of the Senate should continually conduct themselves in accordance with the standards which will reflect credit upon themselves and the Senate. It is beneath the dignity of the Senate for a member to sit upon a desk, or to place his feet upon a desk in the chamber.
7. While a Senator is speaking, no Senator should enter into any disturbing private conversation or pass between the speaking Senator and the Presiding Officer. Profane, obscene, or indecent language is discouraged in the Senate and in all standing or special committees of the Senate.

8. A Senator shall address other members with the title "Senator" when addressing one another during formal Senate proceedings either on the floor of the Senate or in committee.
9. The Presiding Officer may direct a designated Senate employee to activate his roll call switch. No member shall be permitted to vote on any question unless said member is physically present in the chamber at the time the vote is taken.
10. The President Pro Tempore (or the Majority Floor Leader) shall designate those Senate employees who shall be granted privileges of the floor during any session of the Senate, said employees to be limited to those whose work requires their presence. Any member desiring to bring a guest to the floor of the Senate shall first notify the Majority Floor Leader. No such guest shall enter the chamber until privileges of the floor have been granted pursuant to Rule 10-10.
11. No person other than a member of the Senate shall cause materials to be distributed on each desk in the Senate chamber without first having obtained approval by the Majority Floor Leader. The sponsoring Senator will be identified.
12. ~~The Administrative Director of the Senate or his designees~~ President Pro Tempore shall designate persons to act as Sergeant-at-Arms Sergeants-at-Arms for the Senate and , who shall have responsibility of serving legal processes and enforcing Rules and policies of the Senate.
13. Any member who feels that the standards of the Senate are being violated by either a member of the Senate or the staff should seek redress by submitting a complaint to the President Pro Tempore concerning the violation. The President Pro Tempore may refer any matter concerning exercise of the Senate's discretionary powers and duties under Section 30 of Article V of the Oklahoma Constitution to a standing committee or select committee as the President Pro Tempore deems appropriate.

SENATE OFFICERS

President Pro Tempore Hobson announced the following members of the Majority Party designated to serve in the leadership of the Fiftieth Legislature:

Majority Floor Leader – Senator Ted Fisher

Assistant Majority Floor Leaders – Senator Gilmer Capps, Senator Robert Kerr,
Senator Angela Monson, Senator Jeff Rabon and Senator Jay Paul Gumm

Majority Whip – Senator Susan Paddock

Democrat Caucus Chair – Senator Kenneth Corn

In accordance with Senate Rule 10-2, the officers and members of the Majority Party were seated.

Senator Glenn Coffee, designated as Republican Floor Leader, announced the following members of the Republican Party designated to serve in the leadership for the Fiftieth Legislature:

Assistant Republican Floor Leaders – Senator Scott Pruitt and Senator Owen Laughlin

Republican Whips – Senator Nancy Riley and Senator Randy Brogdon

Republican Caucus Chair – Senator Jonathan Nichols

In accordance with Senate Rule 10-2, the officers and members of the Republican Party were seated.

Senator Fisher moved that Michael Clingman be elected Secretary of the Senate.

Senator Taylor seconded the nomination of Michael Clingman and moved the nominations for the office of Secretary of the Senate cease and Michael Clingman be elected by acclamation, which motion was declared adopted.

COMMITTEES APPOINTED

Senator Fisher moved that the Standing Committees appointed for the Fiftieth Legislature be approved, which motion was declared adopted. The Standing Committees and their membership are as follows:

SENATE STANDING COMMITTEES

First Regular Session Fiftieth Legislature

President Pro Tempore Hobson and Senator Fisher are
“Ex-Officio Voting Members” of all Senate committees

AEROSPACE, COMMUNICATIONS and TECHNOLOGY

Capps, *Chair*
Lawler, *Vice Chair*

Adelson	Laughlin
Branan	Nichols
Coffee	Paddack
Garrison	

AGRICULTURE and RURAL DEVELOPMENT

Lawler, *Chair*
Wyrick, *Vice Chair*

Anderson	Justice
Capps	Kerr
Coates	Lamb
Coffee	Laughlin
Corn	Myers
Crutchfield	Paddack
Ford	Pruitt
Garrison	Rabon
Harrison	Shurden

APPROPRIATIONS

Morgan, *Chair*
Crutchfield, *Vice Chair*

Adelson	Kerr
Aldridge	Lamb
Anderson	Laster
Barrington	Laughlin
Bass	Lawler
Branan	Leftwich
Brogdon	Lerblance
Cain	Mazzei
Capps	Monson
Coates	Myers
Coffee	Nichols
Corn	Paddack
Crain	Pruitt
Easley	Rabon
Eason McIntyre	Reynolds
Ford	Riley
Garrison	Shurden
Gumm	Taylor
Harrison	Wilcoxson
Johnson	Williamson
Jolley	Wilson
Justice	Wyrick

BUSINESS and LABOR

Leftwich, *Chair*
Coates, *Vice Chair*

Brogdon	Shurden
Eason McIntyre	Wilson
Myers	

COMMERCE

Harrison, *Chair*
Wilson, *Vice Chair*

Adelson	Johnson
Branan	Williamson
Gumm	

EDUCATION

Monson, *Chair*
Paddack, *Vice Chair*

Aldridge	Kerr
Anderson	Laster
Barrington	Lawler
Branan	Lerblance
Cain	Mazzei
Coffee	Morgan
Crutchfield	Pruitt
Easley	Rabon
Ford	Riley
Gumm	Taylor
Harrison	Wilcoxson
Jolley	Williamson
Justice	

ENERGY and ENVIRONMENT

Lerblance, *Chair*
Easley, *Vice Chair*

Adelson	Laster
Branan	Laughlin
Brogdon	Lawler
Corn	Morgan
Crutchfield	Nichols
Gumm	Riley
Johnson	Taylor
Jolley	Williamson
Lamb	

FINANCE

Gumm, *Chair*
Capps, *Vice Chair*

Adelson	Mazzei
Anderson	Monson
Branan	Nichols
Coffee	Paddack
Corn	Rabon
Ford	Wilcoxson
Johnson	Wilson
Lawler	

GENERAL GOVERNMENT

Garrison, *Chair*
Corn, *Vice Chair*

Adelson	Lamb
Bass	Laughlin
Capps	Nichols
Crain	Reynolds
Johnson	Wyrick

HEALTH and HUMAN RESOURCES

Cain, *Chair*
Eason McIntyre, *Vice Chair*

Barrington	Paddack
Leftwich	Pruitt
Mazzei	Wilcoxson
Monson	

JUDICIARY

Laster, *Chair*
Cain, *Vice Chair*

Bass	Morgan
Crain	Pruitt
Lamb	Williamson
Lerblance	

PUBLIC SAFETY and HOMELAND SECURITY

Wyrick, *Chair*
Shurden, *Vice Chair*

Barrington	Monson
Cain	Nichols
Crain	Pruitt
Lamb	Reynolds
Laster	Wilson
Leftwich	

RETIREMENT and GROUP HEALTH

Eason McIntyre, *Chair*
Lerblance, *Vice Chair*

Aldridge	Laster
Brogdon	Mazzei
Corn	Monson
Jolley	

RULES

Kerr, *Chair*
Laster, *Vice Chair*

Cain	Leftwich
Capps	Lerblance
Coates	Monson
Coffee	Myers
Corn	Pruitt
Crutchfield	Rabon
Gumm	Riley
Harrison	Shurden
Johnson	Taylor
Laughlin	Wilcoxson
Lawler	Williamson

SUNSET REVIEW

Easley, *Chair*
Bass, *Vice Chair*

Jolley	Riley
Rabon	

TOURISM and WILDLIFE

Wilson, *Chair*
Rabon, *Vice Chair*

Aldridge	Garrison
Anderson	Harrison
Bass	Justice
Capps	Kerr
Coates	Myers
Coffee	Reynolds
Crain	Shurden
Ford	Wyrick

TRANSPORTATION

Taylor, *Chair*

Harrison, *Vice Chair*

Aldridge	Justice
Barrington	Kerr
Brogdon	Laughlin
Coates	Leftwich
Crutchfield	Myers
Easley	Reynolds
Eason McIntyre	Riley
Garrison	Shurden
Jolley	Wyrick

VETERANS and MILITARY AFFAIRS

Bass, *Chair*

Leftwich, *Vice Chair*

Aldridge	Gumm
Anderson	Kerr
Barrington	Lerblance
Brogdon	Nichols
Crutchfield	Reynolds
Easley	Riley
Eason McIntyre	

APPROPRIATIONS
SUBCOMMITTEES

All subcommittee members are members of the standing Appropriations Committee. Senator Morgan and Senator Crutchfield are “Ex-Officio Voting Members” of all Appropriations Subcommittees.

EDUCATION

Crutchfield, *Chair*
Lawler, *Vice Chair*

Aldridge	Garrison
Bass	Jolley
Brogdon	Taylor
Coffee	Wilcoxson
Easley	Williamson

GENERAL GOVERNMENT and TRANSPORTATION

Shurden, *Chair*
Gumm, *Vice Chair*

Capps	Laughlin
Coates	Pruitt

HEALTH and SOCIAL SERVICES

Adelson, *Chair*
Monson, *Vice Chair*

Justice	Riley
Paddack	

HUMAN SERVICES

Cain, *Chair*

Anderson	Eason McIntyre
Crain	

NATURAL RESOURCES and REGULATORY SERVICES

Rabon, *Chair*
Kerr, *Vice Chair*

Branan	Mazzei
Ford	Myers
Harrison	Wilson
Johnson	Wyrick

PUBLIC SAFETY and JUDICIARY

Corn, *Chair*
Leftwich, *Vice Chair*

Barrington	Lerblance
Lamb	Nichols
Laster	Reynolds

SELECT AGENCIES

Paddack, *Chair*

Bass	Eason McIntyre
Coates	Jolley

MILEAGE ALLOWANCE

Senator Fisher moved adoption of the following report on mileage allowance, prepared by the Office of the Senate Administrator, which motion was declared adopted:

Senator	Residence	Total Miles Round Trip	Amount Round Trip
Adelson, Tom	Tulsa	180	72.90
Aldridge, Cliff	Choctaw		None requested
Anderson, Patrick	Enid	198	80.19
Barrington, Don	Lawton	182	73.71
Bass, Randy	Lawton	182	73.71
Branan, Cliff	Oklahoma City		None requested

Brogdon, Randy	Owasso	230	93.15
Cain, Bernest	Oklahoma City		None requested
Capps, Gilmer N.	Snyder	278	112.59
Coates, Harry	Seminole	116	46.98
Coffee, Glenn	Oklahoma City		None requested
Corn, Kenneth	Poteau	390	157.95
Crain, Brian	Tulsa	212	85.86
Crutchfield, Johnnie C.	Ardmore	196	79.38
Easley, Mary	Tulsa	230	93.15
Eason McIntyre, Judy	Tulsa	216	87.48
Fisher, Ted V.	Sapulpa	190	76.95
Ford, John	Bartlesville	292	118.26
Garrison, Earl	Muskogee	316	127.98
Gumm, Jay Paul	Durant	308	124.74
Harrison, J. Berry	Fairfax	258	104.49
Hobson, Cal	Lexington	78	31.59
Johnson, Mike	Kingfisher	96	38.88
Jolley, Clark	Edmond		None requested
Justice, Ron	Chickasha	98	39.69
Kerr, Robert M.	Altus	322	130.41
Lamb, Todd	Edmond	24	9.72
Laster, Charles	Shawnee	84	34.02
Laughlin, Owen	Woodward	290	117.45
Lawler, Daisy	Comanche	206	83.43
Leftwich, Debbe	Oklahoma City		None requested
Lerblance, Richard	Hartshorne	290	117.45
Mazzei, Mike	Bixby	212	85.86
Monson, Angela	Oklahoma City		None requested
Morgan, Mike	Stillwater	128	51.84
Myers, David	Ponca City	214	86.67
Nichols, Jonathan	Norman	42	17.01
Paddack, Susan	Ada	180	72.90
Pruitt, Scott	Broken Arrow	250	101.25
Rabon, Jeff	Hugo	398	161.19
Reynolds, Jim	Oklahoma City	26	10.53
Riley, Nancy	Tulsa	180	72.90
Shurden, Frank	Henryetta	190	76.95
Taylor, Stratton	Claremore	270	109.35
Wilcoxson, Kathleen	Oklahoma City		None requested
Williamson, James	Tulsa	228	92.34
Wilson, Jim	Tahlequah	334	135.27
Wyrick, Charles	Fairland	380	153.90

EXPENSES OF THE OFFICE AND POSTAGE

Senator Fisher moved that each member of the Senate be provided with forty rolls of first-class stamps, or with reimbursement for electronic communications equipment or its usage equivalent to the value of the postage allowed, or with a combination of the stamps and electronics reimbursement equal to the value of the postage allowed, and that \$350.00 be allotted for expenses of the office for calendar year 2005, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising the Honorable State Senate that the Oklahoma House of Representatives is ready to convene in Joint Session.

Senator Fisher moved that the Senate recess to meet with the House in Joint Session at 1:30 p.m., and pursuant to Article V, Section 26, of the Constitution of the State of Oklahoma, the Senate stand recessed to reconvene Monday, February 7, 2005, at 12 noon.

Pursuant to the Fisher motion, the Senate adjourned at 1:05 p.m., to reconvene Monday, February 7, 2005, at 12 noon.

*

JOINT SESSION

The First Joint Session of the First Regular Session of the Fiftieth Legislature was called to order by the President of the Senate, Lieutenant Governor Mary Fallin.

Senator Fisher moved that the attendance roll call of the Senate be considered the attendance roll call of the Senate in Joint Session, which motion was declared adopted.

Representative Cargill moved that the attendance roll call of the House of Representatives be considered the attendance roll call of the House in Joint Session, which motion was declared adopted.

President Fallin declared quorums of the Senate and House present and Joint Session duly assembled.

The invocation was offered by Representative Depue.

Pursuant to Article VI, Section 5, Oklahoma Constitution, Speaker Hiatt directed the clerk to proceed with the canvassing of the returns of the General Election held on November 2, 2004, as certified to the House of Representatives by the Secretary of the

State Election Board, Michael Clingman and transmitted to the House of Representatives by Secretary of State, Susan Savage.

Senator Fisher moved to dispense with the reading of the election returns and ordered same printed in the Journals of the House and Senate respectively, which motion was declared adopted.

COMMUNICATION

November 18, 2004

The Honorable Todd Hiatt, Speaker
Oklahoma State House of Representatives
State Capitol
Oklahoma City, Oklahoma 73105

Dear Mr. Speaker:

I hereby certify that the attached compilation is a complete list of the names of all candidates voted for at the General Election held November 2, 2004, for the offices indicated, and that the figures set by the names represent the sum of the total votes cast for each as certified to this office by the County Election Boards of the State. Candidates who were unopposed in the General Election also are listed.

Respectfully submitted,

/s/MICHAEL CLINGMAN, Secretary
State Election Board

The Speaker declared elected to the respective offices listed below the candidates whose names are show in boldface type:

PRESIDENTIAL ELECTOR

DEMOCRATIC (JOHN F. KERRY for President, JOHN EDWARDS for Vice President) 503,966
GEORGE KRUMME
EDWYNNE KRUMME
MAXINE HORNER
JIM HAMILTON
BERNICE MITCHELL
BETTY McELDERRY
BOB LEMON

REPUBLICAN (GEORGE W. BUSH for President, DICK CHENEY for Vice President) GEORGE W. WILAND, III PAUL R. HOLLRAH M. COLBY SCHWARTZ DIANA GUNTHER KEN BARTLETT DONALD G. BURDICK BOB HUDSPETH	959,792
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UNITED STATES SENATOR

BRAD CARSON	Democrat	Claremore	596,750
TOM COBURN	Republican	Muskogee	763,433
SHEILA BILYEU	Independent	Oak Hall, VA	86,663

UNITED STATES REPRESENTATIVE

District 1

DOUG DODD	Democrat	Tulsa	116,731
JOHN SULLIVAN	Republican	Tulsa	187,145
JOHN KRYMSKI	Independent	Tulsa	7,058

District 2

DAN BOREN	Democrat	Paden	179,579
WAYLAND SMALLEY	Republican	Chelsea	92,963

District 3

FRANK D. LUCAS	Republican	Cheyenne	215,510
GREGORY M. WILSON	Independent	Perkins	46,621

District 4

TOM COLE	Republican	Moore	198,985
CHARLENE K. BRADSHAW	Independent	Norman	56,869

District 5

BERT SMITH	Democrat	Oklahoma City	92,719
ERNEST ISTOOK	Republican	Warr Acres	180,430

CORPORATION COMMISSIONER

JOHN WYLIE	Democrat	Oologah	489,759
DENISE BODE	Republican	Geary	857,387

STATE SENATOR

District 1 CHARLES WYRICK PAT JURGENSMEYER	Democrat Republican	Fairland Miami	17,256 11,078
District 3 JIM WILSON	Democrat	Tahlequah	Unopposed
District 5 JEFF RABON	Democrat	Hugo	Unopposed
District 7 RICHARD C. LERBLANCE	Democrat	Hartshorne	Unopposed
District 9 EARL GARRISON PENNY KAMPF	Democrat Republican	Muskogee Muskogee	18,608 10,066
District 11 JUDY EASON McINTYRE LAWRENCE KIRKPATRICK	Democrat Independent	Tulsa Tulsa	16,981 2,488
District 13 SUSAN PADDACK KARROLL G. RHOADS	Democrat Republican	Ada Ada	17,743 10,564
District 15 LISA PRYOR JONATHAN NICHOLS	Democrat Republican	Norman Norman	15,228 20,526
District 17 CHARLIE LASTER	Democrat	Shawnee	Unopposed
District 19 JIM STATES PATRICK ANDERSON	Democrat Republican	Dover Enid	9,244 19,426
District 21 MIKE MORGAN CHUCK BREWER	Democrat Republican	Stillwater Stillwater	18,439 12,120

District 23			
MARILYN FEAVER	Democrat	Chickasha	11,072
RON JUSTICE	Republican	Chickasha	17,729
District 25			
MIKE MAZZEI	Republican	Bixby	Unopposed
District 27			
H. KATHY MOORE	Democrat	Woodward	5,775
OWEN LAUGHLIN	Republican	Woodward	22,522
District 29			
ALAN GENTGES	Democrat	Bartlesville	11,309
JOHN FORD	Republican	Bartlesville	20,849
District 31			
CRAIG HALE	Democrat	Sterling	11,310
DON BARRINGTON	Republican	Lawton	12,994
District 32			
RANDY BASS	Democrat	Lawton	9,854
KENNETH E. EASTON	Republican	Lawton	9,803
District 33			
TOM ADELSON	Democrat	Tulsa	15,836
DEWEY F. BARTLETT, JR.	Republican	Tulsa	14,926
District 35			
JAMES A. WILLIAMSON	Republican	Tulsa	Unopposed
District 37			
DAN GIDDENS	Democrat	Jenks	11,847
NANCY RILEY	Republican	Tulsa	22,327
District 39			
BRIAN A. CRAIN	Republican	Tulsa	20,565
MICHAEL A. SHIFLET	Independent	Tulsa	6,856
District 41			
JAMES H. BUXTON	Democrat	Edmond	11,778
CLARK JOLLEY	Republican	Edmond	26,517

District 43			
SCOTT INMAN	Democrat	Del City	11,644
JIM REYNOLDS	Republican	Oklahoma City	15,275

District 45			
KATHLEEN WILCOXSON	Republican	Oklahoma City	Unopposed

District 47			
ADAM E. MILLER	Democrat	Edmond	10,403
TODD LAMB	Republican	Edmond	25,918

STATE REPRESENTATIVE

District 1			
JERRY ELLIS	Democrat	Valliant	Unopposed

District 2			
GLEN BUD SMITHSON	Democrat	Sallisaw	Unopposed

District 3			
NEIL BRANNON	Democrat	Arkoma	Unopposed

District 4			
MIKE BROWN	Democrat	Fort Gibson	Unopposed

District 5			
LeROY HENDREN	Democrat	Jay	6,445
DOUG COX	Republican	Grove	8,334

District 6			
JOE EDDINS	Democrat	Vinita	Unopposed

District 7			
LARRY GLENN	Democrat	Miami	Unopposed

District 8			
BEN SHERRER	Democrat	Chouteau	9,167
BILL KENDRICK	Republican	Pryor	5,635

District 9			
HARVEY A. SWIFT	Democrat	Oologah	7,194
TAD M. JONES	Republican	Claremore	10,653
District 10			
JUDY TAYLOR	Democrat	Dewey	6,645
STEVE MARTIN	Republican	Bartlesville	7,307
District 11			
WILLIAM F. BIXLER	Democrat	Bartlesville	4,869
MIKE WILT	Republican	Bartlesville	12,665
District 12			
WADE ROUSSELOT	Democrat	Wagoner	7,647
MARK WOFFORD	Republican	Wagoner	7,408
District 13			
JERRY McPEAK	Democrat	Warner	6,959
STUART ERICSON	Republican	Muskogee	6,513
District 14			
BARBARA STAGGS	Democrat	Muskogee	10,349
FROSTON BACK	Republican	Fort Gibson	3,468
District 15			
RAY MILLER	Democrat	Quinton	8,759
JEFF PHILLIPS	Republican	Checotah	5,100
District 16			
JERRY SHOEMAKE	Democrat	Morris	9,386
GARLAND FOSTER	Republican	Morris	3,541
District 17			
MIKE MASS	Democrat	Hartshorne	9,092
MARK HALYARD	Republican	McAlester	5,365
District 18			
TERRY M. HARRISON	Democrat	McAlester	9,865
ALLEN HARSHAW	Republican	McAlester	4,034

District 19 R. C. PRUETT PATRICK K. MILLER	Democrat Republican	Antlers Snow	10,176 2,644
District 20 PAUL D. ROAN TOM STEPHENS	Democrat Republican	Tishomingo Caney	8,501 4,556
District 21 JOHN W. CAREY	Democrat	Durant	Unopposed
District 22 WES HILLIARD PRESTON EDGAR	Democrat Republican	Sulphur Sulphur	7,332 5,555
District 23 MITCHELL GARRETT SUE TIBBS	Democrat Republican	Tulsa Tulsa	4,728 7,658
District 24 DALE TURNER	Democrat	Holdenville	Unopposed
District 25 BOB PLUNK KEN BLACK	Democrat Republican	Ada Ada	10,033 3,805
District 26 PAT BATEMAN KRIS STEELE	Democrat Republican	Shawnee Shawnee	3,920 8,608
District 27 KEVIN ROLAND SHANE JETT PETE PENDLEY	Democrat Republican Independent	Shawnee Tecumseh McLoud	5,480 7,046 392
District 28 RYAN D. KIESEL BILLY CHOATE	Democrat Republican	Seminole Seminole	7,133 5,458

District 29			
JIM THOMPSON	Democrat	Bristow	5,148
TODD HIETT	Republican	Kellyville	9,006
District 30			
JOHN MARK YOUNG	Democrat	Sapulpa	6,284
BRIAN BINGMAN	Republican	Sapulpa	8,104
District 31			
THOMAS R. COOK	Democrat	Edmond	4,153
DALE DePUE	Republican	Edmond	11,177
HARVEY DERRICK	Independent	Edmond	1,155
District 32			
DANNY MORGAN	Democrat	Prague	9,766
JOE SINKO	Republican	Meeker	4,823
District 33			
SUSAN H. CUSTER	Democrat	Cushing	5,381
LEE DENNEY	Republican	Cushing	8,385
District 34			
TERRY INGMIRE	Republican	Stillwater	Unopposed
District 35			
GARY VANCE	Democrat	Pawnee	6,328
REX DUNCAN	Republican	Sand Springs	8,786
District 36			
JOE LOYD SWEEDEN	Democrat	Pawhuska	Unopposed
District 37			
JIM NEWPORT	Republican	Ponca City	Unopposed
District 38			
DALE DeWITT	Republican	Braman	Unopposed
District 39			
MARIAN COOKSEY	Republican	Edmond	14,514
RICHARD SKI PRAWDZIENSKI	Independent	Edmond	3,138

District 40			
MIKE FRICKENSCHMIDT	Democrat	Enid	5,411
MIKE JACKSON	Republican	Enid	6,915
District 41			
CURT ROGGOW	Republican	Enid	Unopposed
District 42			
PATRICK GRIMMETT	Democrat	Pauls Valley	6,423
LISA J. BILLY	Republican	Purcell	8,443
District 43			
RAY D. YOUNG	Republican	Yukon	Unopposed
District 44			
BILL NATIONS	Democrat	Norman	8,680
RICHARD STAWICKI	Republican	Norman	5,352
E. Z. MILLION	Independent	Norman	634
District 45			
M. ESTELLE CASH	Democrat	Norman	7,028
THAD BALKMAN	Republican	Norman	9,132
District 46			
DOTTIE CALDWELL	Democrat	Norman	7,192
DOUG MILLER	Republican	Norman	11,118
District 47			
ANGIE JEFFRIES	Democrat	Amber	4,950
SUSAN WINCHESTER	Republican	Chickasha	10,360
District 48			
DARON HENRY	Democrat	Ardmore	5,432
GREG A. PIATT	Republican	Ardmore	7,721
District 49			
TERRY HYMAN	Democrat	Leon	8,204
WANDA CRUSON	Republican	Kingston	5,462
District 50			
JARI ASKINS	Democrat	Duncan	Unopposed

District 51			
RAYMOND GENE McCARTER	Democrat	Marlow	8,041
COREY HOLLAND	Republican	Marlow	6,155
District 52			
DAVID B. BRADDOCK	Democrat	Altus	6,089
GARY DAVIS	Republican	Blair	4,963
District 53			
TROY GREEN	Democrat	Oklahoma City	5,076
RANDY TERRILL	Republican	Moore	11,380
District 54			
KEVIN MOORE	Democrat	Moore	6,336
PAUL WESSELHOFT	Republican	Moore	8,686
District 55			
RYAN McMULLEN	Democrat	Burns Flat	6,470
JOHN ENGLISH	Republican	Cordell	6,308
District 56			
JASON GLIDEWELL	Democrat	Anadarko	5,471
PHIL RICHARDSON	Republican	Minco	7,566
District 57			
JAMES E. COVEY	Democrat	Custer City	7,746
JEANIE BRINKLEY	Republican	Clinton	6,127
District 58			
JIM SLATER	Democrat	Fairview	5,192
JEFF HICKMAN	Republican	Woodward	9,504
District 59			
PAUL LAUBACH	Democrat	Leedey	6,826
ROB JOHNSON	Republican	Kingfisher	7,742
District 60			
PURCY D. WALKER	Democrat	Elk City	Unopposed

District 61			
ERIC BEGLEY	Democrat	Goodwell	3,806
GUS BLACKWELL	Republican	Goodwell	8,440
District 62			
ABE DEUTSCHENDORF	Democrat	Lawton	Unopposed
District 63			
DON ARMES	Republican	Faxon	Unopposed
District 64			
ROY B. BUTCH HOOPER	Democrat	Lawton	4,786
ANN COODY	Republican	Lawton	5,047
District 65			
JOE DORMAN	Democrat	Rush Springs	5,685
DEBBIE THOMPSON	Republican	Cyril	3,560
District 66			
LUCKY LAMONS	Democrat	Tulsa	Unopposed
District 67			
PAM PETERSON	Republican	Tulsa	Unopposed
District 68			
CHRIS BENGE	Republican	Tulsa	Unopposed
District 69			
FRED PERRY	Republican	Tulsa	Unopposed
District 70			
RON PETERS	Republican	Tulsa	Unopposed
District 71			
ROY McCLAIN	Democrat	Tulsa	6,212
DANIEL S. SULLIVAN	Republican	Tulsa	8,769
District 72			
DARRELL GILBERT	Democrat	Tulsa	Unopposed

District 73 JABAR SHUMATE SHARLA WALKER	Democrat Republican	Tulsa Tulsa	10,202 1,522
District 74 CARL WESTON JOHN SMALIGO	Democrat Republican	Catoosa Owasso	4,971 13,772
District 75 DENNIS ADKINS	Republican	Broken Arrow	Unopposed
District 76 JOHN A. WRIGHT	Republican	Broken Arrow	Unopposed
District 77 MARK LIOTTA	Republican	Tulsa	Unopposed
District 78 JEANNIE McDANIEL DAVID J. SCHAFFER	Democrat Republican	Tulsa Tulsa	7,931 7,907
District 79 CHRIS HASTINGS	Republican	Tulsa	Unopposed
District 80 RON PETERSON	Republican	Broken Arrow	Unopposed
District 81 BRYAN D. CARLILE KEN MILLER	Democrat Republican	Edmond Edmond	4,444 12,708
District 82 JAMES STOVALL GUY LIEBMANN	Democrat Republican	Oklahoma City Oklahoma City	5,852 13,766
District 83 FRED MORGAN	Republican	Oklahoma City	Unopposed

District 84			
RONALD E. WASSON	Democrat	Oklahoma City	4,215
SALLY KERN	Republican	Oklahoma City	8,815
District 85			
JENNIFER SEAL	Democrat	Oklahoma City	7,122
ODILIA DANK	Republican	Oklahoma City	10,424
District 86			
JOHN AUFFET	Democrat	Stilwell	7,237
RUSSELL DON TURNER	Republican	Stilwell	4,510
District 87			
JOHN P. MORGAN	Democrat	Oklahoma City	6,435
TREBOR WORTHEN	Republican	Oklahoma City	7,428
District 88			
DEBBIE BLACKBURN	Democrat	Oklahoma City	5,806
DAVID LEWIS	Republican	Oklahoma City	2,720
District 89			
REBECCA HAMILTON	Democrat	Oklahoma City	Unopposed
District 90			
JOHN NANCE	Republican	Bethany	Unopposed
District 91			
HOLLIS HARPER	Democrat	Oklahoma City	4,775
MIKE REYNOLDS	Republican	Oklahoma City	12,908
District 92			
RICHARD DANIEL MORRISSETTE	Democrat	Oklahoma City	4,585
RON HIGGINS	Republican	Oklahoma City	4,325
District 93			
AL LINDLEY	Democrat	Oklahoma City	4,613
JAY MEANS	Republican	Oklahoma City	4,393
District 94			
LARRY W. GOOCH	Democrat	Del City	5,007
KEVIN CALVEY	Republican	Del City	7,521

District 95 BILL CASE	Republican	Midwest City	Unopposed
District 96 LANCE CARGILL MELANIE MILLAR	Republican Independent	Harrah Jones	13,192 3,788
District 97 MIKE SHELTON HAROLD ROBERTS	Democrat Republican	Oklahoma City Oklahoma City	9,828 4,750
District 98 JOHN TREBILCOCK	Republican	Broken Arrow	Unopposed
District 99 OPIO TOURE STEVE SCHMIDT	Democrat Republican	Oklahoma City Oklahoma City	8,483 2,498
District 100 IVAN HOLMES MIKE THOMPSON	Democrat Republican	Oklahoma City Oklahoma City	4,336 10,094
District 101 GARY BANZ	Republican	Midwest City	Unopposed

JUSTICE OF THE OKLAHOMA SUPREME COURT

District 5 JAMES R. WINCHESTER	Yes: 886,987 No: 344,301
District 8 RUDOLPH HARGRAVE	Yes: 832,828 No: 374,424

JUDGE OF THE OKLAHOMA COURT OF CRIMINAL APPEALS

District 1 CHARLES S. CHAPEL	Yes: 855,934 No: 369,223
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JUDGE OF THE OKLAHOMA COURT OF CIVIL APPEALS**District 3, Office 1****JOE C. TAYLOR**

Yes: 854,691

No: 362,294

District 3, Office 2**RON STUBBLEFIELD**

Yes: 845,129

No: 366,284

District 4, Office 1**GLENN D. ADAMS**

Yes: 853,183

No: 356,955

District 4, Office 2**LARRY E. JOPLIN**

Yes: 838,223

No: 370,648

District 6, Office 1**E. BAY MITCHELL, III**

Yes: 851,118

No: 361,485

Upon motion of Representative Cargill, the Joint Session was ordered dissolved at the hour of 1:55 p.m.